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The Balance, AND COLUMBIAN REPOSITORY.

"HAIL SACRED POLITY, BY FREEDOM REAR'D!
"HAIL SACRED FREEDOM, WHEN BY LAW RESTRAIN'D!"
BEATTIE.

HUDSON, (New-York) TUESDAY, JULY 7, 1807.

Original.

Hither the products of your closet-labors bring,
Enrich our columns, and instruct mankind.

FOR THE BALANCE.

THE LIMNER.

THERE are lines in the character of some men, that always puzzle the painter. These lines are very distinct and visible; but they are inexplicable.

"I am very sorry for your misfortunes," said a grave looking gentleman, the other day, to an acquaintance who had got involved in his affairs—"I pity you very much, added he, (and I saw a tear starting in his eye) "but I hope you will get through honorably at last."—The unfortunate man did not repay this kindness even with a smile. "I observe you have some friends in your misfortunes" said I, after the grave gentleman had passed on.—"Friends!" replied the unfortunate man, indignantly—"friends, indeed!—I must tell you," continued he, "that this same person, who affects to weep over my misfortunes with such poignant grief, and who pretends to wish me extricated from all my difficulties, is himself, in some degree, the cause of all my troubles."—"Is it possible?" I exclaimed, looking at him with astonishment. "Yes," said he, "that man now owes me, and has, for a long time, a debt which he might pay with the utmost ease; and for the want of that little debt, and an hundred others of the same description, I am compelled to pine in the limits of a prison."

Reader, this grave looking gentleman wears all the externals of a christian. He abounds in *fashionable religion*. He professes much; but is sparing of good works. Such hypocrisy may deceive men for a time: But can tears and sighs deceive the Searcher of Hearts? No—the hope is vain.

The unfortunate man had seen prosperous days. Then he was surrounded by a host of blood-suckers, and this pretended friend, no, doubt, amongst the rest. But misfortunes had overtaken him. Still he believes it his duty to be patient, moderate and just, even under the pressure of every calamity. But when thus assailed—when stupidity itself puts on a haughty, dictatorial tone—he seems compelled to complain. However, the world has nothing to do with this man's affliction, or that man's religion; nor will it much regard either the one or the other.

This case will shew that one hour's adversity will teach more wisdom, than an age of prosperity.

"I wish this *very good friend*," said the unfortunate man, "and all other *very good men*, to know, that I have no sense of gratitude for such *pitying* favors, and beg them to forbear.

PETER PALLET.

FOR THE BALANCE.

THOUGHTS.

FEW friends are so judicious as to discern our real faults, and still fewer who are faithful enough to tell us of them.

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Melancholy ought not to be imputed to religion, but either to the want of it, or to mistaken views about it, or to a bad constitution.

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No persons complain so much of the pride of others as those who are proud themselves.

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It is extremely difficult to overcome old and bad habits. An instructive story is told of a man who used always to stop at a certain house to take a dram. He formed the resolution to pass without stopping, and on his way said to himself, "Stick to it resolution! Stick to it resolution." After he had passed he said, "Well done resolution! Come back now and I will treat you!"

It has been justly and severely said of some rich men, that the only generous thing they ever did was to die.

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Marriage is an institution of God, and therefore must be suited to the state, and calculated to promote the happiness of man.

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Houses of worship are, generally, too large, and ill constructed for their purpose. A common voice without great and unnatural exertion, is not sufficient to fill them. The form of the pulpits also is very improper.

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In eating as in many other things, we are guided by mere whim. One will not eat sturgeon, another will not eat bear, and a third will not eat eels, because they look so like snakes.

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Next to innocence, is the confession of a fault, and to forgive is indeed Godlike.

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Heaven would approve our conduct better did it receive from us fewer complaints and greater praises.

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A man is not to be reckoned a plagiary or an imitator, merely because he advances the same sentiments and happens to use at times the very words of another who has written on the same subject.

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The observance of holydays will be found to lessen a due regard for the Sabbath.

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Many notes to a book are inconvenient to the reader, and they are most so when placed at the end by way of appendix. They should be interwoven as much as possible with the body of the work.

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A man contemplates many schemes, some of which he never, and some but partly executes.

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We are apt to pity men who are ignorant of their own failings, and yet this ignorance contributes to their happiness.

MENTOR.

Editor's Closet.

The fourth of July,

Was celebrated in this city, with unusual harmony and joy by all parties.

We have not been able to procure a copy of the federal toasts for insertion this day.

The following toasts were drank by the Hudson Volunteers, and a select company, who partook of an elegant entertainment, at Fowler's Hotel:

1. The Day.

2. *(drank standing.)*

Fill high your cups,
And let the kettle to the trumpets speak,
The trumpets to the cannoneer without,
The cannons to the heavens, the heavens to earth,
For now we drink to WASHINGTON.

The memory of Washington.

3. The heroes of the revolution.

4. The American Standard—May it never want defenders.

5. The American Toast—Liberty or Death.

Noble youths, who love your nation,
Round your country's standard form,
Firmly swear to hold your station,
'Spite of the impending storm

6. The Standard of the Hudson Volunteers—it shall never be deserted.

7. May party-spirit give way to National spirit.

8. Our motto—Enemies in war—in peace, friends.

9. Our Commander in Chief—May his administration, like that of his predecessor, be marked with attention to the militia.

10. Peace—but war rather than dishonor.

11. When honor beats the *long roll*, may every American be found at his post.

12. Yankee Doodle and the Quick March—May we teach our enemies to "mind the *music* and the *step*."

13. May every American hang his purse at the muzzle of his musket—so that whoever plunders him must first pass the point of his bayonet.

14. *Charge Bayonet*—at the approach of the enemy—*charge glasses*—at the approach of a friend.

15. *To the right about face*—when we find ourselves in error.

16. *Ground Arms!*—May this be the last order, given by the last breath, of the last man, on the last inch of American territory.

17. The Fair—May a green coat* and an honest heart ever find favor in their eyes.

* The uniform of the Hudson Volunteers.

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Volunteer,

By Col. J. R. Van Rensselaer, in behalf of the company who dined at Mr. Stocking's.

The spirit of '76—reanimated by the late outrages of the British ships of war.

☞ The Citizens of Hudson are requested to meet at the City Hall, on Wednesday the 8th inst. at 7 o'clock P. M. to take into consideration the late violent aggression and flagrant insult committed by the British squadron on the United States frigate Chesapeake, and to enter into such resolutions as this affair of murder and assassination demands. Every friend to his country is requested to attend.

War!

We have not room to give our readers all the additional details concerning the late British outrage, furnished by the last mail: But every thing shews that the spirit of the country is roused. At Norfolk, Portsmouth and Hampton, the most indignant sentiments have been expressed at public meetings. The people have pledged their lives and fortunes to support the government in any measure of defence or retaliation. At Hampton the inhabitants destroyed upwards of 200 hogsheads of water which were on board a schooner ready to sail for the British men of war.

The following letters have passed between the committee [at Norfolk] and the *British consul*, which are published for the information of the public.

THEO. ARMISTEAD, Secr'y of the Com.

British Consul's Office, Norfolk,
Virginia, June 25, 1807.

To brigadier gen. Mathews, chairman of the Committee appointed to carry into effect the resolutions, &c.

"SIR—As I do not perfectly understand how far the construction of the Resolutions adopted at the meeting held yesterday, as they respect the communication between myself and his majesty's ships in the Chesapeake, may be supposed to extend, I beg leave to enquire of you, sir, as the chairman of the committee appointed to carry those resolutions into effect, whether any and what restraint is thereby intended to be laid on my communication with my king's ships—whether the schooners which have hitherto been used as advice boats, will be permitted to pass as heretofore uninterruptedly, and whether there will be any objection to myself, or any of my family going backwards or forwards to the ships of war below, in such boats as may be allowed to carry my correspondence, or to our going by land to the Bay-side, and embarking from thence and returning to the shore in the ships' boats.

I have the honor to remain, with perfect respect, sir, your most ob't. humble serv't.

JOHN HAMILTON.

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To col. John Hamilton, consul for the state of Virginia.

"Sir—In answer to your letter of this date, I am directed by the committee to say, that the schrs. hitherto employed as advice boats in the service of H. B. Majesty's ships, cannot be permitted to pass and repass as heretofore. The committee view the object of the resolutions as intending to prevent supplies of every kind being afforded to these ships until the pleasure of our government be known. The committee can see no obstacle to you or any of your family communicating with the officers of H. B. M's ships in either of the modes you mention, confident that no attempt will be made to contravene the resolution restricting supplies. The boats you may engage in this service will be permitted to pass without examination. I have the honour to be, &c.

TH. MATHEWS, *Chmn. of the Com.*

Norfolk, June 26, 1807.

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Extract of a letter from Hampton, June 26.

"We have late news from the British men of war, by the pilots that were discharged yesterday. They declare that if their water and provisions do not come to them as usual, *they will lay three ships of war along side Hampton, send their barges ashore and take them by force!*—The Hamptonians are casting balls and making cartridges, to bid them welcome."

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The following letter to the committee of correspondence has been received from George Hope, esq. of Hampton, dated 26th inst.

"Sirs—I just now received yours with the enclosed resolutions of the citizens of Norfolk, and immediately communicated them to Col. Wray, and posted to make them as public as possible. The inhabitants of this place unanimously feel indignant at the outrage committed on the Chesapeake, and are concerting measures to prevent the landing of any boats from the ships, which it is probable they may attempt. I am, with respect,

GEO: HOPE."

The Conspiracy.

LETTER II.

Ego certe, quin cum ipsa re bellum geram; hoc est, cum regno, et imperus, extraordinariis, et dominatione et potentia, que supra leges se esse velit.

EPIST. BRUT. AD ATTIC.

SIR,

CALIGULA, it is said, wished that the Romans had but one neck, that he might destroy them all at a blow: Were it desired, in like manner, to destroy all our *liberties* at a blow, it would not be difficult to find the *neck* which the tyrant wished for in vain. Behold it in *personal* liberty? Strike *there*, and the work is accomplished.

The liberties of men, in a state of society, are civil and political. The first is the great *end and aim* of government; the second the *means* of obtaining that end. Civil liberty, which, for the most part, consists of those natural rights which it is the object of society to modify, perhaps, for their better preservation and perfection, but never to destroy, has usualy been divided into three distinct classes: the secure and undisturbed enjoyment of *life*, a similar enjoyment of *the fruits of our industry*, and the disposal of every man's *person*; according to his own will and pleasure, without any *restraint*; except in those cases, where either may have been forfeited by transgression against some general and established law of the land in which we live. Of these three classes, however, it is manifest that the last, emphatically termed personal liberty, is the *trunk* of which the two first are but branches: for, it is to be observed, that the *enjoyment* of life comprehends not merely *existence*, but every thing essential to the *comfort and happiness* of existence; so, too, the enjoyment of the fruits of our industry does not mean merely that we shall not be *robbed* of our property, but that we shall so *use and dispose of it*, as may best promote our convenience and pleasure; since this is the true and indeed only object of acquiring it. But if a man's *person* may be at any time restrained; if he may be immured in a dungeon, separated from society, from his friends, from his family, what is his enjoyment of life? Existence itself is valueless, is burdensome. And his property! What pleasure, what advantage, will the unhappy victim of arbitrary power derive from that? The wealth

of Chili and Peru united, except as the possible means of purchasing his enlargement, would be useless. This has been no secret to tyrants. Hence in every country where the power of imprisonment, without appeal to the laws, has been possessed by the sovereign, that power has been made the common instrument of extortion: In Turkey it renders regular taxes unnecessary, and they are never laid.

Political liberty, I have stated, and to a mind of the least reflection the statement was demonstration, merely the *means*, derived from particular forms of government, of securing civil liberty: of course, to suppose the destruction of the latter, necessarily implies that, however we may be deluded by a phantom, the former has already ceased really to exist. The *form* of government which may survive, whether it be republican, aristocratical or monarchical, is unimportant; the tyrant of Cyprus was not less a captive, because his fetters were of silver. The republican is only preferable to any other form of government, inasmuch as it is infinitely better adapted, from its nature, to secure those rights which it is the object of *every* government to maintain: a republic, therefore, where those rights are not secured, is only despotism, in another shape. Hence, it has been said, *a Constitution may be free, the citizen a slave*. I know not what example Montesquieu, who made the observation, had in view—I presume Geneva: but his remark will apply not only to the state where a proper equilibrium* of the supreme powers has not been preserved, but to every state where, however admirable the distribution of the several parts of the political machine, the personal liberty of the citizen has not been inviolably secured. Of what consequence is it to him, whom an arbitrary mandate has doomed to the dungeon, that the government under which he groans is not vested in a single hand, but divided into three branches: that the legislature consists of two houses; that the executive is not hereditary; that the judiciary is independent? What avails him that elections are frequent: that in all he has the right of suffrage; nay that himself is eligible to the highest offices? Alas! these rights like the chaplets adorn the victim which superstition prepares for the sacrifice, rob not of its anguish the blow by which he bleeds: his political privileges, so far from alleviating, serve but to insult his misery.

Of the great and just importance attached to *personal liberty* by England; to whom alone, among modern nations, we are to look for any thing worthy of imitation, at least in jurisprudence; we may form some idea, from their unceasing efforts to surround it with the strongest and most impregnable barriers. By their great charter, promised by the first Henry, evaded in the two succeeding reigns, and at length extorted from John, it is declared, so early as the beginning of the thirteenth century, *that no freeman shall be taken or imprisoned, but by the lawful judgement of his peers, or by the law of the land.* This article, less time might be supposed to have impaired its effect, we see continually enforced by subsequent statutes, five or six times in the single reign of Edward the third, and again at the accession of his grandson. In all cases of imprisonment, contrary to those provisions, a remedy was furnished by the common law, in a writ of *habeas corpus*; thro' which every man committed might have the cause of his detention promptly investigated and be discharged, bailed and remanded, according to the circumstances of his case. In the case of sir E Hambden, sir Thomas Darnel and others, committed early in the reign of Charles the first, by the Privy Council, for their resistance to certain forced loans; the refusal of the Judges to admit to bail, because the commitment was by the Crown, tho' without any cause being shewn, brought the consideration of personal liberty home more before parliament, and the *petition of right*, 3 Car. 1, was the consequence. This petition, after enumerating the provisions of Magna Charter and the several subsequent statutes, and reciting the late illegal judgements; claimed not as a new privilege, but as an old established right, *that no freeman, in such manner as is before mentioned, be imprisoned or detained.* New evasions of the law by corrupt judges, who held their offices at the pleasure of the Crown, occasoned the petition of right, at no very distant period, to be enforced by the more ample statute 16 Car. 1; which enacts, *that in any commitment, by whatsoever authority, the person detained shall be entitled, without delay, under any pretence, to a writ of* habeas corpus, *from the court of king's bench, or common pleas; who shall within three days after the return, investigate and determine the legality of such commitment, and proceed accordingly.* At length to all these provisions in favor of the personal liberty of the subject, succeeded the deservedly celebrated statute 31, Car. 2, emphatically called the *habeas corpus act.* This statute so unequivocally establishes the right of the subject to the writ, so clearly defines the *mode* of obtaining it, and inflicts such severe penalties for withholding it, that aided by the statute 1 William and Mary, which enacts that excessive bail shall not be required, it may truly be said to have palsied forever, in Great Britain, the arm of arbitrary power. Hence, whenever the ordinary liberties of the subject are deemed incompatible with the safety of the kingdom, the only mode of abridging them is a suspension of the act which secures them, by *Parliament; for it is the happiness of our constitution*, says the commentator on the laws of England, *that it is not left to the executive to determine when the danger of the state is so great as to render this measure expedient.* This supending power of Parliament, however, notwithstanding the almost perpetual wars and frequent internal commotions which have agitated that country, has rarely been resorted to, and never except in cases, apparently at least of the last necessity. Since the act of habeas corpus was passed, a period of nearly an hundred and thirty years, I do not recollect more than four or five instances of its having been suspended. In the latter part of the reign of Charles the second, which exhibited a tissue of plots and conspiracies, real or pretended: in the stormy reign of his successor, who was scarcely seated on his throne, before Argyle was in rebellion in the north, and Monmouth on the west, and who was at length, driven by a more successful rebellion into exile; a suspension of this act was never thought of. At the accession, indeed, of the prince of Orange, a bill for suspending it was passed, and this palladium of British liberty was offered up at the shrine of their idol: but what was the situation of the country? The succession to the crown recently altered—a considerable party machinating the restoration of the exiled monarch—James himself, assisted by France, at the head of a considerable force in Ireland, for the recovery of his kingdom. In the reign of Anne, the nation engaged at once in a foreign war and menaced with an invasion by the pretender, resorted a second time to the suspension of this act; but the moment the alarm of invasion was over, the suspension was removed. The suspension which took place at the commencement of the reign of George the first was under still more imperious circumstances. Another and much less popular change had just been made in the succession; the partisans of the Stuart family were ready to seize the favorable opportunity of attempting their restoration; the earl of Mar had already hoisted the standard of the pretender, and proclaimed him in Scotland: that country disgusted and dissatisfied with the late union, threatened a general revolt; while even in England, no inconsiderable dissatisfaction to the house of Hanover was manifested; and in Northumberland the disaffected were in acutual insurrection. In the next reign, when the succession was deemed better settled; notwithstanding the alarming rebellion in favor of the young prince Charles Edward, whose rapid successes seemed for a moment to promise him the crown of his grandfather; a suspension of this act was not deemed necessary. The suspension in the present reign, which took place shortly after the commencement of our revolution, having been extended only to cases of treason *committed by persons resident in America*, does not deserve to be cited. 'Till the year '94, therefore, it may be observed, that the act of habeas corpus was never suspended in England, except in cases of threatened or actual *invasion*, and that not by a foreign enemy, but by the partisans of a family whose right to the throne was long admitted by no inconsiderable part of the nation. In '94, when the French were supposed to have agents in every country in Europe for the dissemination of jacobinical principles; under the dread of a conspiracy real or imaginary, the object of which was said to be nothing less than the annihilation of king, lords and commons, and the introduction of a new order of things, by means of a general convention, after the manner of France; Mr. Pitt, the distinguished advocate of prerogative and arbitrary power, brought in a bill for suspending this act, which he had influence enough to carry; but which in every stage of its passage, received the most strenuous and indignant opposition, and was accompanied by the protests of the best men in the kingdom.

* The misfortunes even of Geneva, arose less, perhaps, from the want of equilibrium in the government, than from that wretched system under which the same tribunals were at once accusers and judges; of course, had every man in their power.

This celebrated act, the great bulwark of personal liberty and the insuperable barrier to the exercise of arbitrary power; this act so deservedly cherished by every Briton, and which we have seen, is so reluctantly relinquished even in moments of the extremest alarm; originated it is said, in the oppression of one Jenks. Jenks was an obscure, unimportant, friendless individual; but it was seen that his cause was the cause of the laws, the cause of the constitution, the cause therefore of every man in the community. The spirit of the whole nation was roused; Parliament caught the alarm; and the remedy they applied, it has been shewn was commensurate with the evil.

This short review of British history, however respectable would be its authority, has been taken yet less with a view to political *precedent*, than to political *contrast*. And I blush while I acknowledge how melancholy, painful, and humiliating to us, the contrast is. Compare the wisdom, the vigilance, the solicitute of Great-Britain upon the subject of personal liberty; compare, particularly the sensibility displayed by that nation in the case of Jenks, with the blind, the senseless apathy displayed by our country on a similar occasion; and let us modestly renounce the exclusive charter, we have set up, to the love of liberty and the abhorrence of despotism. On a similar occasion, did I say? I was wrong. The case of Jenks and that of Adair, Bollman and other citizens of the United States, are indeed similar in *principle*, but in their degrees of enormity the difference is vast. Jenks had been *legally* committed by the civil authority: he applied for the benefit of a writ of *Habeas Corpus*; the judges refused it, for a time, under different pretences, but at length granted it, and upon being brought up, he was liberated. The oppression, therefore, which caused so much irritation, was not an absolute *denial*, but a delay of justice. Adair, Bollman, &c. were *illegally* committed; and the law was violated in their commitment, not by the *civil* authority, whose encroachments are generally slow and easily corrected, but by a military power, whose usurpations are always rapid, dangerous, and, once suffered, soon become irresistable. They, too, applied for a writ of Habeas Corpus; the court did not *evade* the application, but granted the writ; it was the commander of the army who, not satisfied with a single violation of the laws, dared to resist the writ, to detain their persons in contempt of it; and thus sought to annihilate even the semblance of judicial power in the country. Without dwelling upon the aggravating and injurious circumstances which mark this case, let it be observed that here the oppression was not a delay, but an absolute *denial* of justice.—The effect produced by the case of Jenks, in *England* has been seen. It was immediately followed by the statute 31, Car. 2; which among its other admirable provisions, inflicted a penalty of five hundred pounds upon the judge who should ever afterwards commit the offence complained of. And the case of Adair, Bollman and their fellow prisoners—what effect did that produce in [illegible]? Wilkinson had himself announced the outrage he had committed, to the president; Congress were in session; the victims of arbitrary power were bleeding before their eyes. Organs of the national will, did they hasten to express the national indignation? Did they hasten to provide an efficient security against any future offence of a similar nature? Did they manifest their abhorence at the outrage, by enacting a law which should punish with death the military commander who should *hereafter* dare to set the civil authority at defiance? Alas! Hear! The *executive*, so far from passing any censure upon him, continued the offender in his command, and thus indirectly sanctioned his conduct. As to Congress——The house of representatives, which eventually displayed some regard to our liberties and to the Constitution, seemed perfectly *bewildered: One* wished to know *whether the statute* 31, Car. 2, *was of force in this country?* another *had his doubts upon the subject:* a third *really could not tell:* but most of them seemed to have forgotten that, at least, the *constitution* was of force. *This* member, in high, heroic strains, now talked of a statue of gold—*that*, more modest, thought a bill of indemnity would do.—The senate was *not* bewildered; *their* course of proceeding was sufficiently prompt and decisive. Not satisfied with the stab already given to the constitution by the sword of gen. Wilkinson, a still deeper wound was to be inflicted upon it, and a bill immediately passed that house, *to suspend the privilege of the writ of habeas corpus!* Or in other words, to give the sanction of *law* to the imprisonment of any man among us whom the government, or its agents, might choose to make the victim of suspicion, or policy, or of vengeance!

Pause with me, a moment, and mark! *The commander of the army*, appointed by the president, violates the constitution, strikes at the very root of our liberties—The *president* throws over him the broad shield of executive patronage—The *senate*, which, from the *number* of its members, the *manner* in which those are chosen, and the *time* for which they are *elected*, may be considered the aristocracy of the government, unites in approbation—at least, if they disapprove of any thing, it is the *manner* not the *matter:* they object not that our liberties be butchered, but think it prudent that they be butchered *secundum artem*. O what a wonderful affinity is here! I repeat, mark the *inclination* of these bodies to each other, and beware; for trust me, if there be any faith in political astrology, their *conjunction* will be fatal.

I have said, the senate, not satisfied with the stab given to the constitution by the sword of gen. Wilkinson, sought to inflict a still deeper wound upon it, by suspending the privilege of the writ of *Habeas Corpus*. The expressions may be strong, but they are warranted. I appeal to the constitution: what is its language? *The privilege of the writ of Habeas Corpus shall not be suspended, unless when*, in cases of rebellion or invasion *the public safety may require it.** Thus to justify the suspension of this writ, two points are to be established; first, the existence of a rebellion or an invasion; next, that the public safety requires it. For, as by the exception, *unless in cases of rebellion or invasion*, the constitution has decided that the suspension *cannot* be necessary, at any other time; so, by the proviso to that exception, *when the public safety may require it*, it has decided that the suspension *may not* be necessary even when there shall be a rebellion or an invasion. The question, then is, first, was there a rebellion or an invasion. Except the rebellion of the military, against the civil authority, and the invasion of their honorable body by such a formidable host of panics as overthrew reason, common sense, and the constitution together, the senate, will find some difficulty in establishing the reality of either. What is rebellion? for invasion, I presume, may be left out of the discussion. A resistance to, or an attempt to overthrow the government *vi et armis*. Happily for us, we have here not one of those metaphysical points, which furnish food for sophistry, and leave us at the end of a tedious investigation exactly where we were; but something open, palpable, substantial, which may be seen, may be felt by every man. Arms, men, action, are essential to its existence, and its notoriety is the only evidence of that existence. I ask, then, where, when, by whom, was this forcible resistance to the government, or this forcible attempt to overthrow it? The public prints, indeed, have teemed with *rumours* of treasons, conspiracies, and insurrections; the minds of the people have been agitated and alarmed; now we had a *report* that Burr was at the head of ten thousand men, then a report that Adair, with two thousand cavalry, was at the very gates of Orleans: but have we *had any* thing *but rumours?* Has one solitary *fact* been brought forward in evidence of rebellion? This numerous, well equipt, but *invisible* army, of which we heard—what towns have they taken, what blood have they spilt, what civil power have they resisted? Not only no *overt* act of this kind, which alone can constitute rebellion, has been committed, but we have not as yet had even the slightest evidence of an *intention* to commit it. If the *terrible army* has remained invisible, its terrible leaders have not. They have been seen, they have been taken, their conduct has been judicially investigated; and what has been the result? Some of them have been *discharged*, the rest liberated upon bail. Even their chief, that infernal grandgousier, the never ceasing source of alarm to the whole court of Picrochole,* has been arrested, discharged, arrested again, buffeted from court to court, and what has come of it? Listen! He was arraigned in *Kentucky*, and the grand jury upon the exparte testimony of the prosecution, threw out the bill: *but that attempt to bring him to justice*, we have it from authority, *was premature*. He descends the Mississippi, *mad dog* is cried, and the whole country, with clubs, swords, and firelocks, is armed against him---they meet at Bayou Pierre—now, then, the grand army of *invisibles*, led on by the sons of Leda, is to urge the unseen, but a deadly fight! Head of Confucius! Is it possible? Their general tamely surrenders to the civil authority without firing a gun, and suffers himself to

* Vid: constitution, sect. 9, ch. I.

* Vid: Rabelais.

be again arraigned at Natchez.——Wilkinson is summoned, but does not choose to attend: the secretary of the Orleans territory however, who had been employed by government to watch the motions of the conspirators and collect information, is ordered up, and with other witnesses, is sworn and sentin in to the grand jury. Their testimony is herd, and this jury, too, not only find no bill, but present the prosecution as *a grievance: but government*, I suppose, *has not time to forward the proofs it possessed*. The grand conspirator leaves Natchez, intending to secrete himself in Florida; but from a strange ignorance of the Geography of the country, which was to have been the scene of his military operations, pursues the high road to the Atlantic States: *mad dog*, in the shape of a proclamation, still follows him, he is a third time arrested, and carried not to the nearest judicial authority, but hurried away to Richmond. Now surely the plot is to be unravelled! The president has declared that the guilt of the accused *is beyond question*; the proofs, of course, are in his own hands; the place of trial is chosen by himself. Will it be credited? The accused is brought before the highest judicial authority in our country, the case is argued, and that authority solemnly decides that there is not even probable ground of *commitment* upon a charge of treason!*—Away with a delusion, more fatal than the foulest plans of treason, since it renders us traitors to ourselves! Let reason resume her empire, and let us open our eyes to the *real* danger which threatens us! If the president did not lay before the senate matter which he has withheld from the court, a thing hardly to be suspected, it must be admitted that the bill which passed that house for suspending the privilege of the writ of *Habeas Corpus*, was not only justified by no *actual* rebellion, but had not even the pretence of any manifested *intention* to excite rebellion. And is it then, at a signal from the trump of common fame, that the constitution is to be violated? Is it upon rumour, mere *rumour*, that the citizen is to be stript of the shield, he had derived from the laws, and exposed, naked and unprotected, to the secret attack of every cowardly informer, or the open fury of those in power? Reason is alike outraged, with the constitution. Would you punish even the *individual* whom rumour had charged with crime; nay, against whom the most solemn and deliberate accusation had been preferred, if that accusation were not supported by proofs? Every man will reject so absurd and barbarous a doctrine, because every man will perceive that, if accusation is to constitute guilt, he himself will not be innocent an instant longer than his enemy, if he have one, may please. But if the very *person* whose guilt has been denounced by rumour, be not punishable, upon what principle of common sense is it, that the rumour of his guilt is to expose thousands, a whole country, to punishment? for is not imprisonment a punishment, and is not the writ it was proposed to suspend the only security that any man has against it?

I once thought that, as the laws were the rule of action to common men, so the constitution was the rule of action even to the legislature: if the senate were right, however, in passing their suspension bill, it is clear that I was wrong.—But, if I were wrong, of what *use* is your constitution? You boast of it as the foundation of equal and expedient laws, of the security and happiness of the citizen: but what kind of foundation is that, which every puff of wind may destroy, every wave annihilate? Instead of the senseless adoration you pay it, you had infinitely better burn it by the hands of the common hangman; it is useless, worse than useless. The security it promises, like the treacherous light which the cornish plunderer holds out to the mariner, may be the means of your destruction. As to your laws, they will bear the complexion not of a constitution, which is a dead letter, but of those who make them. Thus disembarrassed of all constitutional restraints, the legislature becomes, indeed, the supreme power in the state! But what, if in the plenitude of their supremacy, they choose to enact a law, not to suspend the privilege of the writ of Habeas Corpus, but to suspend all your privileges, to make themselves your lawyers for life? aye, and their children after them? What is to hinder them? Take away the constitution, and they are the legitimate representatives of the country, restricted by no bounds, but their own will and discretion. *But doubtless the people*—Do they murmur? Treason! rebellion against the government! strong measures only can save the state—the writ of Habeas Corpus must be suspended—*the army must be increased!*—O that army! that army!—But do you think that, in such an event, the usurpers would be satisfied to rely altogether upon the army? Do you imagine they would be at any loss for a justification upon *principle?* Behold a principle at hand—*necessity!*—O necessity! dreadful auxiliary of tyranny in all ages, how boundless is thy power! Touched by thy wand, the Venitian lion becomes a *safe and convenient* channel of accusation; the inquisition of Spain and Rome, a *wholesome* restraint upon immorality and vice; the letters de cachet of France, a *harmless* mode of preserving the honor of respectable families, and a *salutary* check upon the licentiousness of the people! At thy nod, the perpetual dictatorship of Sylla, the despotism of Augustus, become the only modes of *preserving* Roman liberty; their proscriptions, judicious expedients for discriminating between innocence and guilt! Thou speakest, and the gaols, the racks, the gibbets, which every where met the eye in unhappy Ireland, become *humane and useful* instruments for the preservation of social order; the torrents of blood that deluged France, are merely a mean of promoting the general happiness, since, in the language of Robespierre, *it is only by cutting off every unsound limb, that the body can be preserved*;* the atrocious barbarities of the dictator himself, are *well-timed acts of energy*; and the usurpation of Bonaparte is the *highest effort of patriotism!*——Beware, beware, my countrymen! how you admit this sorceress among you! The corner stone of her temple is already laid: be it your care that the fabric progress not to completion! Things in this country, are not yet prepared for the crisis I have hinted at; but remember effect of *precedent*; remember that every violation of your constitution leads, however insensibly, to its *destruction*: above all, remember that, where force has not been the agent, liberty has always suffered most under those rulers who, by their real or affected good qualities, had most endeared themselves to the people. When the depository of power is obnoxious to us, we are upon our guard; we are more than sufficiently jealous: acts of legitimate authority are pronounced tyranny; his very virtues are tortured into vices. Let him give place to our favorite, and we reverse, not correct, the error. The *man* is exalted into a *god*: the most arbitrary measures pass unheeded, or readily find a palliation: our best rights are either idolatrously offered up, or, madly incredulous, we perceive not the chains that are forged for us, until they are rivetted too firmly to be shaken off.

I have shewn—if the expression may be used, when the thing was before notorious to every one—that when the bill for suspending the privilege of the writ of Habeas Corpus, passed the senate, there existed neither of those causes, *rebellion or invasion*, in which only the constitution sanctions the suspension. I have shewn, further, upon the highest authority, the authority of your courts of justice, that there was not even any manifested *intention* to rebel: though if such an intention had even been proved, it would not have been material; there still would not have been that *actual* rebellion, required by the constitution. By this decision upon the first point, *whether there was a rebellion or not?* the point which would have been next for discussion, *whether the public safety required the suspension, proposed by the senate?* is regularly precluded; since the constitution has made the first strictly a *previous question* to the latter. But admit the *intention* of rebelling; admit even that the measures of the persons lately arrested had amounted to *actual* rebellion: still the necessity, to the public safety, of suspending the privilege of the writ of *Habeas Corpus*, will not follow. Are our laws so miserably defective that they are inadequate to the suppression of the slightest danger? If they are, why have they not been altered? If they are not inadequate, wherefore resort to arbitrary measures? For my part, I believe the existing laws fully sufficient for the public safety, under any circumstances. I believe this upon the ground of *reason*, which shall presently be examined; I believe it upon the ground of *fact*, because we have heretofore had rebellions among us which were easily suppressed, and the authors of them punished, though the suspension proposed in the present instance, was never thought of. The late rebellion, *without rebels*, which alarmed the senate so much, does not furnish me an *argument*; but it furnishes that honorable body ample cause

* I pass over the commitment of Col. Burr upon the charge of meditating an invasion of Mexico, for as I presume even the senate would not set up *that* as a pretext for suspending the privilege of the writ of Habeas Corpus, his acquittal or conviction would be alike immaterial to the constitutional inquiry which alone is my object.

* If Mr. Livingston be correct, this maxim of the *humane* Frenchman has been, likewise adopted by Gen. Wilkinson.

of *reflection*—Either they must acknowledge, if there *were* a rebellion, that the existing laws have crushed it, without the smallest inconvenience to us, and that, therefore, their bill, being unnecessary, would have been merely an instrument of tyranny; or they must confess, if there were *no* rebellion, that the bill which passed their house, was a wanton violation of the constitution. I leave them to their election of these difficulties, and proceed. —The suspension proposed by the senate was not only unnecessary, but useless. If the more certain punishment of *guilt* were its object, that object would not have been attained: it would have exposed to oppression, not the guilty but the innocent; for the writ of *Habeas Corpus* was never intended to secure the first from the just punishment of the law, but to shield the latter from unjust punishment, from punishment contrary to law.—In an extensive country, the good order of society necessarily requires that the power of taking cognizance of offences against its laws, should be lodged in many hands: as it is impracticable to have an high court of judicature in every settlement of ten or a dozen houses, this cognizance, as far as *commitment*, is vested not only in the judges of the superior court, but in the judges of all inferior courts, justices of the quorum and justices of the peace. The power of commitment being thus extended, it is manifest, becomes liable to abuse: the subordinate offices to which it attaches, will inevitably be sometimes filled by ignorant, passionate, or corrupt men, who may exercise the right of imprisonment, without any legal ground whatever. To remedy this great and serious evil, the common law, as has been said, provided the writ of *Habeas Corpus*; which is nothing more than an order of court, issued on application of a prisoner, or of some one, in his behalf, to have his person produced, that the cause of his commitment may be *investigated*. This *investigation* by no means implies the *discharge* of the accused: the result depends entirely upon the nature of his offence and the evidence of it. If the offence charged be of a capital nature, and the grounds of commitment *probable*, he will be *remanded to prison*. If the offence be less criminal, he will, indeed, be admitted to *bail*; but here there can be no impediment to public justice, since, his *life* not being in jeopardy, by taking good and sufficient bail, you ensure his appearance for trial, which is all that is necessary. A complete *discharge*, upon a writ of *Habeas Corpus*, takes place only when the commitment is manifestly illegal or groundless.——The offence, which the suspension of the privilege of this writ was intented by the senate to meet, it is to be observed was *treason*. This crime being hardly capital, is not bailable. A man, therefore, committed on this charge, and brought into court upon a *Habeas Corpus*, if the grounds of his commitment are shewn to be *probable*, must still be returned to prison. *Guilt* consequently gains nothing even by being allowed the privilege of this writ, so much dreaded by the senate. But it may sometimes happen, that a man shall be committed even for treason who is perfectly *innocent*, against whom the slightest probability cannot be shewn. Here, indeed, the writ of *Habeas Corpus* becomes a great, an invaluable, an all-important privilege: it is here that it claims all our blessings, all our adorations, when we behold it rescuing innocence from undeserved sufferings, bursting open the gates of his dungeon, and restoring to light, to his friends, to his home, a member of society, who had never merited its chastisement. And was *this* the danger so alarming to the senate? Was it the liberation of a man, against whom there should be *no probable cause* of complaint, that was deemed so incompatible with the safety of the state? *Better*, say our laws in the language of enlightened humanity, *that* ten *guilty men escape*, *than that* one *innocent man suffer! Better*, say the senate, adopting the more energetic maxim of Turkey, *that an* hundred *innocent men suffer than that* one *guilty man escape!* And this, if gen. Wilkinson, among his other usurpations, has not usurped, for the use of himself and the government, the mantle of infallibility from the successor of St. Peter, would too probably have been the consequence of their suspension bill. Look to those countries, where the liberty of the subject depends upon the will of the sovereign, or his creatures; look, particularly, to ancient France, with whose abuses, since the revolution has torn away the veil that concealed them, we are best acquainted—read in the history of St. Evremond, Luxembourgh, and du Poilly, the history of hundreds of unfortunate beings, whose innocence was at length admitted even by their merciless persecutors, and who after a lingering imprisonment, some of them of thirty years, were liberated, with the consolatory and wound-healing confession, *that the minister had been mistaken!* Think of the thousands who have groaned out their lives, died, rotted, in the infernal charnal houses, of tyranny; and whose guilt or innocence was never made *a question*. I mean to cite examples from *men*, abandoned as they are, not from tygers, or I would ask, how many in *modern* France, have been thrown into prison, and left, like the amiable but unfortunate Condorcet, to perish, unprosecuted, forgotten? Even in England, where the *Habeas Corpus* act has been so rarely suspended, and always for a short period only, it is confessed, the same thing has happened; and the repeal of every suspension, has been marked by the number of unhappy wretches, disgorged from their prisons, against whom not even an accusation was ever preferred. But is it extraordinary that the same *cause* should every where produce the same *effect*? Is it not infinitely more extraordinary that we should blindly hope an exemption from the general lot? I anticipate the panegyric upon him, to whom the arbitrary power, resulting from the suspension bill, was to have been entrusted—but if the president be distinguished by all virtues, has he not, also, the frailties, of human nature? If he is the head of the nation, is he not, also, the head of a party?—The occasional power of doing injury, if it can be peculiarly dangerous in any hands, is so in the hands of the chief magistrate of a republic. In a monarchy, the sovereign, elevated by his birth, his rank, his power, and the splendor of royalty, almost above the community of feeling, or the influence of the same passions, with those who surround him, can have no interest, no prejudice, no latent animosity, to gratify by the oppression of an individual. In the collisions of a republic, on the other hand, where all are equal; where different views create parties, and parties create animosities; where every man, in turn, sees his plans thwarted, or the honors to which he aspired, snatched from him by some more fortunate rival; strong friendships and aversions are engendered, and the passions are nurtured with the virtues. Select your chief magistrate as you please, he will carry into office, strong partialities and attachments to one class of men, strong prejudices and antipathies to another; and these feelings, however imperceptibly, will not fail to influence, as much as policy, the application of the despotic power with which you entrust him.

[The remainder of this letter is unavoidably deferred till next week.]

Hudson, *July 7.*

Be it our weekly task,
To note the passing tidings of the times.

Fire.—The house of Mr. Ruluf Duryea, occupied as an inn and boarding-house at Saratoga Springs, and the house of Mr. Sylvester Bishop, at the same place, have been destroyed by fire, together with a principal part of their contents. A Mr. Miller from Connecticut, who lodged in an upper story, leapt from a window, and was killed. A lodger in the same room escaped, by throwing a blanket over his head, and rushing through the flames, which had already reached the staircase.

From the Baltimore American of June 27.

FLAGRANT OUTRAGE.

The liveliest indignation was excited in the public mind yesterday, on the arrival of intelligence from the city of Washington, that the British ship of war Leopard, of 50 guns, had attacked the U. S. frigate Chesapeake, Commodore Barron, and made a perfect wreck of her.

The cause of this attack, as far as we have been enabled to learn particulars, is as follows:

Three seamen who had been enlisted for the Chesapeake by a recruiting officer at Norfolk, were claimed by the captain of the Leopard as deserters; and through the British minister, Mr. Erskine, a representation of the affair was made to the government of the U. S: The president caused enquiry to be instituted, and on examination it was ascertained the men were Americans, who had been pressed into the British service: consequently they were retained. At Norfolk the British captain saw and demanded of commodore Barron these three men. The commodore declared that he had no British subjects, that all his men were under and would be protected by the American flag. A few days since commodore Barron put to sea, on his way to the Mediterranean. When some distance from the capes of Virginia, the Chesapeake was hailed from the Leopard, and the three men demanded, which the Commodore refused. The com-

mander of the Leopard then opened his fire upon the Chesapeake, and never ceased till he had shattered her fore and aft, killed three men, wounded twenty three, and among others the commodore. His wound is stated to be slight; others are said to be in a dangerous situation. The Chesapeake returned to Hampton Roads, and several of her officers are stated as having arrived at the city of Washington.

Several rumours prevailed yesterday with respect to the resistance of commodore Barron. By some it was said that all his guns were in the hold except one, and that, unable to make opposition, he bore the fire of the Leopard as long as his ship could stand it and then retired into port; by others that he fired a few guns, and then struck his colours, but that the British refused to take possession of the frigate, and that they did not obtain the three men. It is said there were several ladies on board the Chesapeake, as passengers.

Such are the particulars that we have been enabled to collect from different letters of this daring breach of our neutrality and good faith. We could discover that it roused the indignant feelings of every class of our citizens, who all joined in execrating this foul and detestable transaction.

—

From the Baltimore Federal Gazette, June 26.

We issue the Gazette at an unusually early hour this evening, in order to meet the anxiety of our patrons, relative to the outrage committed by the Leopard.

WORSE THAN WHITBY.

For the following unpleasant information, we are indebted to the attention of our correspondent at Washington city:

"I hasten to inform, that captain Gordon of the frigate Chesapeake, (with Dr. Buller) who has just arrived here from Norfolk, with the intelligence that a few days since, as the frigate was passing out to sea, distant not far from Hampton Roads, on her way to the Mediterranean, she was fired upon by the British ship of war Leopard, of fifty guns—an action ensued in which the Chesapeake had 3 men killed and 23 wounded; among the latter (slightly) is commodore B. The Chesapeake was taken unawares, and not being in a situation to make resistance, fired only a few guns. She has returned to Norfolk a perfect wreck. As no provocation was given, this wanton and outrageous act can only be supposed to have arisen from the circumstances related in the following statement:

"Sometime since a recruiting officer at Norfolk enlisted three seamen for the Chesapeake; who were claimed as deserters by the British captain. A representation was made by Mr. Erskine, British minister to our government. An inquiry was ordered, in which it appeared they were all Amerecan citizens, who had been pressed into the British service—of course they were not given up. The British captain saw commodore Barron at Norfolk and demanded the men. The commodore answered that he knew of no such men—that "*all his men were under the American flag and would not be surrendered to any power whatever.*" Nothing further passed on the subject, until this wanton, unmanly and insulting attack."

We have been politely favored with the following corroboration. It is an extract of a letter from an officer at the seat of government, to a respectable friend in this city, dated June 25, 1807.

"I have a moment previous to the closing of the mail to inform you, that the Chesapeake frigate of 36 guns, has returned to Hampton Roads in a very shattered condition, having lost three men killed and 23 wounded (several mortally) the commodore slightly. The frigate fell in with the British ship Leopard of 50 guns, a few days after leaving the capes of Virginia. The British captain demanded 3 seamen, who were said to be on board the Chesapeake, alledging that they belonged to the British navy. Commodore Barron refused; immediately the Leopard opened her ports, and did not cease firing until the Chesapeake, unable longer to sustain it, *struck her colours*. The first lieutenant of the Chesapeake arrived in town a few hours since, from whom it is said this information is derived."

—

From the Alexandria Daily Advertiser of June 26.

Yesterday arrived a pilot boat from Hampton Roads, on board of which came capt. Gordon and doct. Bullus, of the United States frigate Chesapeake, which ship has returned to Hampton Roads in consequence of a wanton attack made on her by a British 74 gun ship, about three leagues from land, in which the Chesapeake received so much damage that it was deemed necessary to return. The circumstances as related to us are as follows:

While laying in the Eastern Branch four men were enlisted, which the British minister demanded as deserters from the Melampus frigate then in Hampton Roads: on examination it was supposed they were Americans and consequently were not delivered up. When she arrived in Hampton Roads a similar demand was made, and a like refusal. The ship got under way with an intention to proceed to her place of destination, the Mediterranean. She passed the frigate Melampus, and two 74 gun ships, one of which weighed and stood after her. On her reaching the limits of the United States, capt. Humphreys of the 74 gun ship, sent a lieutenant on board, with a letter to commodore Barron, demanding the four seamen. The commodore returned for answer that he should permit no foreign officer to muster his men; but, that if the captain of the British ship would muster his men and suffer an American officer to come on board and take all Americans from his crew, he would muster the Chesapeake's crew and permit a British officer to come on board and select all the British subjects therefrom. On the return of the officer the 74 fired a broadside into the frigate and continued to do so till she struck, which was done after her firing one gun, her guns being in no situation to do execution, from the circumstance of her apprehending no danger from any thing on our own coast. The Chesapeake had two men killed and twenty-three wounded, four of which it is believed mortally—the commodore is among the wounded. The four men were then taken and the ship dismissed.

From the National Intelligencer of June 26.

BRITISH OUTRAGE.

We give the public the particulars of the following outrage on the American flag, under the influence of feelings, which, we are certain, are in unison with those entertained universally by our fellow-citizens: feelings which cannot, which ought not to be suppressed; we know not, indeed, that this savage conduct has a precedent in naval annals.

On Monday last the United States frigate, Chesapeake, of 38 guns, left the capes, where there lay at anchor a British squadron, consisting of three two deckers and one frigate of 38 guns. As she passed this squadron, without molestation, one of the two deckers, the Leopard, put off, and went to sea before the Chesapeake. When the latter came up with the Leopard, at the distance of about three leagues from the squadron, her commander, capt. Humphries, hailed the Chesapeake, and said he had a dispatch to deliver from the British commander in chief (meaning admiral Berkeley of the American station) Commodore Barron, supposing it was a dispatch for Europe, hove to, when capt. Humphries sent on board of her a letter covering an order of admiral Berkeley, to take from the Chesapeake three men, alledged to be deserters from the Melampus frigate, and designating them by name.—Commodore Barron replied by letter that no such men, as named in admiral Berkeley's order, were on board, and added that his crew could not be mustered for examination by any other officers than his own. This answer was couched in terms of politeness. It was no sooner received than a broad side was discharged from the Leopard. The crew of the Chesapeake were at this time not at quarters, considering the Leopard a friend, and commodore Barron not contemplating the possibility of danger so immediately after leaving the capes. No other attempt was therefore made to fight her than the discharge of a few straggling guns, while the Leopard repeated three or four more broad sides; when the Chesapeake struck her colours after having three men killed and eighteen wounded.

A boat was then put off from the Leopard with an officer who demanded four men. Commodore Barron said he considered the Chesapeake as a prize to the Leopard; the captain of which vessel said, no—that his orders were to take out the men, which, having executed, he had nothing further to do with her. Thus dismissed, she returned to Hampton Roads, where she now lies. She received in her hull twenty-two round shot, her foremast and mainmast were destroyed, her mizenmast greatly injured, and her standing rigging and sails very much cut.

Of the wounded eight are considered dangerous, and two have lost an arm. Commodore Barron suffered a contusion, received from a splinter, which is not serious.—No other officer is wounded, excepting midshipman Broom, and he but slightly.

Nothing evinces in more striking colors the insolence of capt. Humphreys, than his immediate return, after this outrage, to the Capes, where he now lies with the other ships of the squadron.

Wreath.

FOR THE BALANCE.

THE DYING ATHEIST.

AND must I leave thee, dear delightful clime,
Where pleasure always deign'd to be my guest?
Well, be it so, 'tis but to part with time—
To sleep forever on his mother's breast.

Still as with this short life my being dies,
I'd gladly taste its blessings yet a while;
But if stern death this small request denies,
I'll meet the ruthless tyrant with a smile.

But why departs that sweet enchanting bloom,
Which once for me surrounding objects wore?—
Why is the grave invelop'd by a gloom—
Which never rested on its face before.

And whence those doubts that flit across my brain?
I've dar'd to live, why should I fear to die?
Depart ye busy peace-des roying train,
To shake my soul your pow'r in vain you try.

Yet if there be no heaven, why do I grieve—
As if I'd lost a realm where seraph's glow?
And if no hell, then why do I perceive,
A real terror in a bug-bear wo?

My courage fails me as my being flies—
Prophetic conscience justifies my fears,—
Infernal furies sport before my eyes,
And growling horrors terrify my ears.

Long cherished idol,* art thou struck with dread?
Why dost thou shrink? These are but death's alarms,
Ah, curs'd deceiver! basely hast thou fled—
And left damnation slumb'ring in my arms.

But is my guilt too black to be forgiv'n;
May I not hope to 'scape unceasing wo?
Ah, dire response! from his high throne in heav'n—
Eternal justice sternly answers, no.—

Ye erring mortals see the promis'd bliss—
By which a brother's exit is seren'd,
Hell opes its jaws, its fiery tenants hiss,
To hail the advent of another fiend.

QUIN.

* *Atheism.*

FOR THE BALANCE.

TO A HAPPY FRIEND.

TO see where true contentment reigns,
I turn to pleasure, wealth and pow'r;
My ears are fill'd with happy strains,
But ah! they cannot soothe the pains
Which make these high enjoyments sour.

From these, dear friend, I turn to thee,
No mirthful sounds proclaim thee bless'd,
No pomps I view, but still I see
Such signs of bliss as well agree
With the sweet tenant in your breast.

Could riches purchase such a gem,
And was its real value known;—
How soon would kings their crowns contemn,
And griping misers yield, like them,
Their all, this priceless gem to own.

Your maker's richest smiles you reap,
Your spring continues thro' the year;
No trouble bids your eyes to weep;
Tranquil awake, serene in sleep,
Your heav'nly state commences here.

Ah, few the creatures here below
Who such a sterling portion own;
Does but one breast with raptures glow
To counterpoise thy bliss with wo,
Ten thousand hearts with anguish groan.

Whence comes it then that thou could'st boast,
A treasure by so few possess'd;
But that, altho' a worm at most,
Thou glor'est like the heavenly host,
To serve the greatest and the best.

Fair virtue's footsteps still pursue,
Still will your cup of life be sweet,
Your path with flow'rs she still will strew,
And when you bid this world adieu,
She'll lead your soul to bliss complete.

QUIN.

FOR THE BALANCE.

TO MARIA.

YOU ask me who can give thee aid
When spirits faint, and tempests lour?
There is but one, unhappy maid,
And virtue is the willing pow'r.

'Tis virtue fits the soul to brave
The terrors of misf rtunes frowns,
Dejection is a humble slave
Subjected to her r yal crown.

QUIN.

FOR THE BALANCE.

Rusticity is not always to be sported with.

As a plain honest farmer was walking the street,
With boots much too big both in legs and in feet,
A hail brawney paddy he happened to meet,
Who chancing his eyes on his spindles to throw,
With a horse laugh he cries, "Arra friend, mind your hits,
"Or your boots will be speedily shewing their wits,
"By running away.
Replies Giles, not much liking the joke, "if they do,
"You know very well they'll but pay me a trick,
"Which justice has often been played by your neck."
"By my shoul," exclaims Pat, "but there's some point in that:"
Saying which, he respectfully lifts up his hat,
And bade Giles good day.

QUIN.

FOR THE BALANCE.

EPIGRAM.

'Twixt a trader in law and a dealer in pills,
It was striv'n which to man was most dreadful,
Whether he that's the last, with a shop full of ills,
Or he that's the first with a head full.
But a by-standing wag quickly ended the strife—
By distinguishing thus 'twixt these curses,
That last robs poor mortals of money and life—
While the first merely pockets their purses

QUIN.

Monitorial.

To aid the cause of virtue and religion.

FOR THE BALANCE.

RAISE your thoughts to him who rideth in great majesty in the heavens. Separate the cords that bind you to this transitory world, with its alluring but deceitful charms, and strive to reach the haven of bliss.—Gird on the sword of justice, and be at peace with all mankind.—View the order of nature, and acknowledge the God that made you; for who can trace its comely wonders, and deny that the finger of Deity is imprinted on all its beauties.

If I were a preacher of *divine truths*, I should not pursue one beaten track from year to year, and confine my discourses, to simply delineating the deformity of vice, and the beauties of virtue; for a repetition of one set of words, begets such a heedlessness in the hearers, that they are unmindful of a particular sentence tho' it be well spoken; and to be well spoken there must be energy—for in nothing are speakers more deficient, than a want of animation. Animation awakens the attention of the hearers, charms the senses—raises our thoughts above the groveling walks of the beastial throng, and elevates the soul with a sense of the divinity of Christ.

S.

Terms of the Balance,

FOR 1807.

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A handsome Title Page and Table of Contents will accompany the last number of the Volume.

NOTE.

The first, second, third, fourth and fifth Volumes of the Balance may be had on the following terms:

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Third Volume, - - - - -	$ 2. 50
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If bound, the price of binding (either plain or elegant) will be added---An unbound Volume may be sent to any Post-Office in the State for 52 Cents postage; or to any Post-Office in the Union for 73 Cents.

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